

EXHIBIT 16

Excerpts of the Deposition of Nakisa Bidarian

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON)	
FITCH, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.
)	2:15-cv-01045-RFB-(PAL)
)	
ZUFFA, LLC, d/b/a Ultimate)	
Fighting Championship and)	
UFC,)	
)	
Defendant.)	
_____)	

C O N F I D E N T I A L
VIDEOTAPED DEPOSITION OF

NAKISA BIDARIAN
LAS VEGAS, NEVADA

MAY 5, 2017

9:10 a.m.

REPORTED BY:
CYNTHIA K. DuRIVAGE, CSR #451
Job No. 50309

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1 memo that was prepared by the Vinci
2 team prior to receiving info memo.
3 We expect color tomorrow on what
4 funds are most interested."
5 Do you see that?

6 A. Yes.

7 Q. Did you forward this email chain and the
8 attached presentation here to Lorenzo Fertitta and
9 Lawrence Epstein and others as part of your job at
10 Zuffa?

11 A. I don't recall forwarding this email, but
12 you know, based on this printout, yes, I forwarded
13 this email to those individuals on the email chain.

14 Q. And the presentation as well?

15 A. Yes, based on the email that this was the
16 presentation attached to it.

17 Q. And it looks like the date of this is
18 January of 2013.

19 Do you know as of January of 2013 whether
20 Vinci was a potential investor in Project Brady?

21 A. As of -- I don't think we'd shared much
22 information with Vinci at that point, so I couldn't
23 determine whether they were going to be an investor
24 or not.

25 Q. Did you ask Vinci to prepare this

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1 presentation here?

2 A. No.

3 Q. Just directing your attention to, there's
4 an email from Mr. Gouveia, I believe, Itau, which was
5 the bank that was advising Zuffa, right?

6 A. Yes.

7 Q. He says:

8 "Nakisa, please find Vinci's
9 internal memo. Glad if you could
10 circulate internally. Best regards,
11 Cassio."

12 Do you see that?

13 A. Yes.

14 Q. Do you know why Mr. Gouveia was forwarding
15 this presentation to you?

16 MR. NORTH: Objection, calls for
17 speculation.

18 THE WITNESS: Yeah, I was going to say, I
19 can't speak to why Cassio forwarded an email.

20 BY MR. WEILER:

21 Q. And do you know one way or the other
22 whether Zuffa had shared any information with Vinci
23 at the time this presentation was forwarded to you?

24 A. I can't definitively say whether any
25 information had been shared, but my assumption would

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1 be that, if anything, it would have been very limited
2 because we hadn't even met with them.

3 Q. So just turning your attention to, it looks
4 like in the email chain that was forwarded to you,
5 you then forwarded on, there's a message, it looks
6 like it's from the gentleman named Carlos Eduardo
7 Martins, and it's sent to a Mr. Gouveia, and he says:

8 "Cassio, please find attached the
9 presentation prepared by our
10 research team on UFC and Zuffa.
11 Important to note, we have not
12 revised this presentation after
13 yesterday's meeting, so you'll find
14 some ideas that we provide, and we
15 were able to discuss with them (such
16 as tier 3 events and relaunch of the
17 Pride brand). Note that we prepared
18 this material between the time we
19 received the teaser and we had our
20 first meeting in Rio October last
21 year. I would ask you to forward
22 this presentation to Lorenzo and
23 team, and of course, we would be
24 more than glad to discuss it."
25 Do you see where it says that?

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1 A. Yes.

2 Q. As you sit here today, do you know who
3 Carlos Eduardo Martins is?

4 A. I can't recall him, no.

5 Q. It looks like he is somebody who works at
6 Vinci --

7 A. Correct.

8 Q. -- do you agree with that? Okay.

9 Do you know one way or the other what
10 Mr. Martins is referring to when he says, "Note that
11 we prepared this material between the time we
12 received the teaser and we had our first meeting in
13 Rio last year"? Do you know what he's referring to
14 there?

15 A. I don't know what he's referring to.

16 I would assume, based on the email chain,
17 the teaser is referring to the UFC. I don't know who
18 he had his meeting with in Rio.

19 Q. So directing your attention back to
20 Exhibit 4.

21 A. Exhibit 4.

22 Q. Yes.

23 A. Let's see. Yes.

24 Q. So the first page of Exhibit 4, bottom
25 email, it looks like it's an email from you to

1 So directing your attention to this
2 presentation, page 4.

3 A. Exhibit 6?

4 Q. Yes.

5 A. What is the title of the page just so I
6 make sure --

7 Q. Zuffa -- well, all of them actually say,
8 "Zuffa And The Development Of MMA."

9 There's a bar that says -- it's 2508359 at
10 the top, there's a bar that says --

11 A. Okay. Got it.

12 Q. Okay. The second bullet point says:

13 "One risk to the model is the
14 raise of a new viable alternative
15 organization that could become an
16 option for fighters that are for
17 some reason discontent with the UFC.
18 In fact, recent failures of same
19 fighters to become viable outside of
20 the UFC (see Vitor Belfort and Fedor
21 Emelianenko stories below) disprove
22 this theory, but this risk in the
23 future should not be entirely
24 disregarded, in our opinion."
25 Do you see where it says that?

1 A. I read it.

2 Q. Did you agree or do you agree as you sit
3 here today with this presentation that one risk to
4 Zuffa's model is a new viable alternative
5 organization that could become an option for
6 fighters?

7 A. This is a document created by Vinci. I
8 mean, I have no idea where they got their thought
9 process from or what they were thinking when they
10 wrote that, so it's not possible for me to kind of
11 make any statement to anything they presented in this
12 presentation.

13 I'm not even sure I understand the logic of
14 the page, so...

15 Q. Do you understand the logic about what it
16 says here, "Recent failures of famed fighters to
17 become viable outside of the UFC disprove this
18 theory"?

19 A. No. As long as I've been at the UFC, Vitor
20 Belfort was a part of the UFC, so I don't even know
21 what it's referring to.

22 Q. So turning your attention to page Bates
23 label ZFL-2508362.

24 A. Yes.

25 Q. There's a reference that says:

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CERTIFICATE OF REPORTER

I, Cynthia K. DuRivage, a Certified
Shorthand Reporter of the State of Nevada, do hereby
certify:

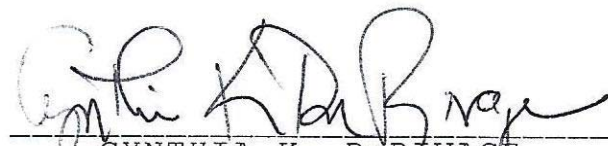
That the foregoing proceedings were taken
before me at the time and place herein set forth;
that any witnesses in the foregoing proceedings,
prior to testifying, were duly sworn; that a record
of the proceedings was made by me using machine
shorthand which was thereafter transcribed under my
direction; that the foregoing transcript is a true
record of the testimony given.

Reading and signing by the witness was
requested.

I further certify I am neither financially
interested in the action nor a relative or employee
of any attorney or party to this action.

IN WITNESS WHEREOF, I have this date
subscribed my name.

Dated: May 18, 2017



CYNTHIA K. DURIVAGE
CCR No. 451